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REMARKS

Applicants respectfully submit this amendment under 37 C.F.R. §1.312 after the Notice of Allowance dated March 10, 2009, prior to payment of the Issue Fee.

The Examiner's Amendment dated March 10, 2009 amended claim 1 to include, at least, "wherein a surface of said fill panel is substantially flushed with a surface of said transaction card." The word "flush" may be used a verb or an adjective. The past tense of the verb form of the word "flush" is "flushed." However, the word "flush" in claim 1 is used as an adjective. Accordingly, for grammatical purposes, Applicants believe that claim 1 should be amended to include, at least, "wherein a surface of said fill panel is substantially flush with a surface of said transaction card."

Applicants note that Applicants' patent counsel discussed this amendment with the Examiner telephonically on March 10, 2009. The Examiner agreed that the amendment would be appropriate.

Applicants acknowledge Examiner's statements of reasons for allowance of the above-reference patent application and agree that the claimed subject matter is patentably distinct over the references cited. However, Applicants take no position regarding the reasons for allowance presented by the Examiner other than the positions Applicants may have previously taken during prosecution. Therefore, the Examiner's reasons for allowance should not be attributed to Applicants as an indication of the basis for Applicants' belief that the claims are patentably distinct. Furthermore, it is respectfully asserted that there may also be additional reasons for patentability of the claimed subject matter not explicitly stated in this record and Applicants do not waive its rights to such arguments by not further addressing such reasons herein.

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Conclusion

In view of the above remarks and amendments, Applicants respectfully request entry of the amendment. The Examiner is invited to telephone the undersigned at the Examiner's convenience, if the Examiner believes it would be helpful. The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account No. 19-2814. **This statement does NOT authorize charge of the issue fee.**

Respectfully submitted,

Date: 3/14/09

By: 

Howard I. Sobelman
Reg. No. 39,038

SNELL & WILMER L.L.P.
One Arizona Center
400 East Van Buren
Phoenix, AZ 85004-2202
Phone: (602) 382-6228
Fax: (602) 382-6070
Email: hsobelman@swlaw.com